## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:10-CT-3193-D

SALAHUDEEN ABDALLAH,	)	
Plaintiff,	)	
v.	)	ORDER
SHERIFF OF NEW HANOVER	)	
COUNTY, et al.,	)	
Defendants.	ý	

Salahudeen Abdallah ("Abdallah" or "plaintiff") filed this action under 42 U.S.C. § 1983 [D.E. 1]. When Abdallah filed this action, he was a federal prisoner incarcerated at the United States Penitentiary in Coleman, Florida. Compl. 2. The Bureau of Prisons ("BOP") now indicates that Abdallah is not in BOP custody. See BOP Inmate Locator, http://www.bop.gov/iloc2/InmateFinder Servlet?Transaction=IDSearch&IDType=IRN&IDNumber=51348-056 (last visited August 2, 2011). Therefore, on July 13, 2011, the court directed Abdallah to show cause not later than July 29, 2011, why the action should not be dismissed without prejudice for failure to prosecute [D.E. 6]. Abdallah has not responded to the order, and the time within which to do so has expired.

In light of Abdallah's failure to respond, the action is DISMISSED without prejudice. The court DENIES AS MOOT plaintiff's motion to preserve evidence [D.E. 5]. The Clerk of Court is directed to close this case.

SO ORDERED. This 3 day of August 2011.

JAMES C. DEVER III United States District Judge